

REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Examiner's Action dated March 22, 2007. Claims 1, 3, 12, 19, 23, 28 and 31 have been amended, and Claims 2, 8, 9, 16 and 20 have been canceled, without intending to abandon or to dedicate to the public any patentable subject matter. Accordingly, Claims 1, 3-7, 10-15, 17-19 and 21-31 are now pending. As set forth herein, reconsideration and withdrawal of the objections to the specification and claims and the rejections of the claims are respectfully requested.

The Office Action objects to the Abstract because of extraneous information shown on the page containing the text of the Abstract. In the amendments set forth above, that extraneous information has been deleted. Accordingly, it is submitted that the objection to the specification should be reconsidered and withdrawn.

Claim 1 stands rejected under 35 U.S.C. § 101 on the grounds that it fails to provide a computer readable medium storing instructions. In the amendments set forth above, Claim 1 has been recast as a method claim. Accordingly, it is submitted that the rejection under 35 U.S.C. § 101 should be reconsidered and withdrawn.

Claims 3 and 28 stand objected to because of informalities. In particular, it is suggested that the word "from" in Claim 3 be changed to "to". However, no correction to Claim 3 to address such informality appears necessary. Accordingly, it is submitted that the objection to Claim 3 should be reconsidered and withdrawn. With respect to Claim 28, an amendment has been entered to clarify that the communication channel state information is related to the first communication channel. Other changes to Claim 28 are not believed necessary. Accordingly, it is submitted that the objections to Claim 28 should be reconsidered and withdrawn. In addition, the rejections of Claims 29-31 on the grounds that they depend from Claim 28 should likewise be reconsidered and withdrawn.

Claims 1-31 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent 6,925,076 to Dalgic et al. ("Dalgic"). In order for a rejection under 35 U.S.C. § 102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently

described, in a single prior art reference (MPEP, §2131.) However, all of the claim elements cannot be found in the Dalgic reference. Accordingly, reconsideration and withdrawal of the rejections of the claims as anticipated are respectfully requested.

The present invention is generally directed to facilitating migration of a call to an alternate call controller in the event of a network or device failure. More particularly, call state information that is required to maintain communication features in the event of a network or device failure is stored on a communication endpoint participating in the call. Accordingly, call state information can be provided by one of the endpoints to the call, and such information does not need to be replicated to redundant databases or alternate call controllers prior to a failure.

The Dalgic reference is directed to providing a virtual distributed gatekeeper in an H.323 system. Dalgic does not teach, suggest or describe the concept of storing call information on a communication endpoint. Instead, Dalgic discusses storing call state information on edge routers, and querying the edge routers for port status information in order to incrementally build a port status table in the event of a gate controller failure. Therefore, Dalgic does not describe each and every element of the pending claims, and the rejections of the claims as anticipated should be reconsidered and withdrawn.

More particularly, at least the following elements of the independent claims, indicated by italicized text, cannot be found in the Dalgic reference:

1. A method for maintaining call state information, comprising:
generating in a first call controller first call state information;
creating at least a first file containing a representation of at least some of said generated first call state information;
providing said at least a first file to a first client; and
storing said at least a first file on said first client, wherein said first client is a communication endpoint participating in a call to which said first call state information pertains.

12. A system for providing redundant call state information, comprising:
a first communication endpoint, including first data storage;
a first call controller in communication with said first communication endpoint, wherein call state information is provided by said first call controller to said first communication endpoint, and *wherein said call state information for a call between said first communication endpoint and another device is stored in at least said first data storage of said first communication endpoint.*

19. A method for providing redundant signaling information, comprising:
generating in a first call controller first call state information;
*providing said first call state information to a first communication endpoint; and
storing said first call state information on said first communication endpoint.*


28. A system for providing redundant signaling information, comprising:
first means for controlling features associated with a communication channel;
first communication client means, wherein said first communication client means is a communication endpoint;
means for interconnecting said first means for controlling to said first communication client means; and
means for storing in said first communication client communication channel state information related to a first communication channel, wherein first channel state information is stored in said means for storing.

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The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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